

December 10, 1987

CONGRESSIONAL RECORD — SENATE

S 17781

CONGRESSIONAL OVERSIGHT
OF INTELLIGENCE ACTIVITIES

Mr. DECONCINI. Mr. President, just about a year ago this country was shocked to learn the United States had sold arms to Iran, a prime sponsor of international terrorism, whose assistance made possible terrorist attacks resulting in the deaths of U.S. citizens in Lebanon and elsewhere. These arms sales were carried out in direct contravention of established U.S. policy.

This alarming news was closely followed by the revelation that proceeds from these arms sales were used to fund the Contras. The legality of these acts is highly questionable, but there is no doubt that the intent of U.S. law was violated and our democratic processes subverted; the rule of men was substituted for the rule of law. In both instances, because the law was circumvented and the Congress, as well as foreign service and intelligence professionals, were ignored, our democracy was jeopardized and U.S. foreign policy damaged.

In today's dangerous world the United States needs a strong, effective intelligence capacity upon which to build and carry out its foreign policy goals. These goals can best be achieved if the procedures governing the initiation and execution of intelligence activities are spelled out in clear and concise terms.

While recent executive branch action has produced guidelines which greatly diminish the ambiguities which previously existed, such guidelines require the force of law to ensure they will be binding on the intelligence activities not only of this administration, but on those which follow as well.

Congressional notification of covert actions, or special activities, emerged as a central issue of the Iran-Contra controversy. Had Congress been notified, such an ill-conceived policy might have been averted. There are and have been numerous covert activities for which appropriate notification of the Congress, through its Intelligence Committees, has been made without any improper disclosures.

Public support of any government initiative is essential to its success. As the branch of Government most closely responsible to the citizens of this country, it is the Congress which is in the best position to judge popular support of Government policy. Therefore, the law must be lucid about when and who in the Congress should be notified of a planned covert action.

In October, I joined Senator COHEN in cosponsoring S. 1721, a bill designed to strengthen congressional oversight of intelligence activities by giving the force of law to the guidelines recently established by the President. This bill unequivocally sets forth the responsibilities of both the President and the Congress regarding covert activities. The President would be authorized, by statute, to carry out covert activities,

but such activities would be specifically prohibited from violating any U.S. law.

This legislation, through its strengthening and delineation of the congressional oversight process, would protect this country against a recurrence of the events which have so painfully unfolded over the past year.

Specific provisions of S. 1721 address the issue of congressional notification by requiring, except in the most extraordinary circumstances, when events require the President's immediate response, that at least the leadership of the intelligence committees and the Congress be notified within 48 hours of the finding being signed by the President. The bill also would require consultation between the President or his representatives and the intelligence committees prior to the initiation of a covert activity. Retroactive findings would be prohibited, and third party involvement, such as that of a foreign country, as well as whatever agency or department of the U.S. Government is charged with executing the activity, must be identified.

Through the establishment of a comprehensive system for congressional notification of planned covert activities, this legislation would prevent the abuse of power which characterized the sale of arms to Iran and the diversion of profits from those sales to the Contras and private entrepreneurs.

INDEPENDENT INSPECTOR GENERAL AT CIA

I was also pleased to join Senator SPECTER in sponsorship of his bill, S. 1818, the National Security Reform Act, which would establish for the first time an independent office of inspector general at the Central Intelligence Agency, a post which would both enhance the accountability of the CIA and act to deter abuses, such as those which occurred as a result of the CIA's clandestine support of arming the Contras.

As described in the congressional committees' report on its investigation of the Iran-Contra affair, the CIA's inspector general "appears not to have had the manpower, resources, or tenacity to acquire key facts uncovered by other investigations."

Even if the CIA's present IG system were reinvigorated with increased resources and a more robust commitment to its task were made, such an internally appointed IG would lack the true independence necessary for real accountability.

The independently appointed inspector general created by this bill would provide the Congress, through its intelligence committees, as well as the executive branch, through its reviews of CIA programs and accounts, with reliable and impartial reports.

Under the bill, the inspector general would be appointed by the President, subject to Senate confirmation. The reports of this inspector general would be submitted to the Intelligence Committee at least on a semiannual basis. The bill also includes safeguards to

protect national security, allowing the Director of Central Intelligence to stop an investigation if he determined an ongoing operation was involved or that national security was jeopardized. In either instance, the Intelligence Committees would be provided with the DCI's rationale for taking such action within 7 days.

Like S. 1721, this bill also tightens the procedures for congressional notification of covert activities in addition to establishing criminal penalties for any Federal employee who willfully provides false information to a committee or subcommittee of the Congress.

For some time now, the Intelligence Committee has been considering legislation and other measures designed to improve its ability to fulfill its oversight obligations. Because the Senate depends on the Intelligence Committee as its primary source of information about the activities of the intelligence community, this committee must have the tools adequate to perform its task. These two bills would not only give the committee those tools, but the opportunities for abuses of power would be restricted and the environment in which our foreign policy objectives could thrive and our democratic institutions prosper would be enhanced as well.

INFORMED CONSENT: MICHIGAN

Mr. HUMPHREY. Mr. President, I ask that three letters be entered into the CONGRESSIONAL RECORD following my remarks. As my colleagues know, each day I present the testimonial letters of women who have experienced abortions in the past. Their experiences make them uniquely qualified to render opinions on the need for informed consent legislation. Although the Supreme Court has decided that every woman has a constitutional right to abort her child throughout all 9 months of her pregnancy, the Court did not revoke the freedom of the woman to choose life for her baby. This freedom of choice is impeded by the real situation of abortion on demand. S. 272 and S. 273 will restore the basic rights of pregnant mothers as they struggle to make the best decisions to deal with the lives of their children and themselves.

The letters follow:

JUNE 8, 1986.

DEAR SENATOR GORDON HUMPHREY: On January 12, 1979, I went behind the closed doors of the abortion chamber and had an abortion which I really did not want. I received poor counseling—mostly I was told what a safe procedure it was and that it would just remove a mass of cells. I asked if it was safe and the lady who owned the abortion chamber said it was 99 percent safe. I even asked about complications. The only one she mentioned was a missed abortion and the fact that they would do another abortion on the next check up in that event.

On the day I had my check up in February of 1979, the abortionist told me every-

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thing was fine and they had removed the "products of conception." He asked if I had any questions. I asked why I still felt pregnant. He said this was because of the hormonal change in my body.

On March 29, 1979, I went back again for another check up. The abortionist then said I probably had a cancerous tumor that comes from having an abortion. I asked if it could be the baby. He said definitely not and even internally examined me twice. In September of 1979, I had a caesarian section to bring into this world a baby boy that the abortionist missed—Praise the Lord!

Thank you for caring about the mothers who feel their pregnancies are a problem. They need to be informed about fetal development and all the things that I was never told.

LINDA VANDER VELDEN,
Wisconsin Director,
Women Exploited by Abortion.

JULY 1986.

DEAR SENATOR: I'm writing to support your efforts to inform women about abortion and what it entails. When I was seventeen, I became pregnant. I was scared and so was my boyfriend. We didn't know what to do. This was not a subject anyone talked about. I looked in the phone book and found a clinic that gave pregnancy tests and did abortions. So I made an appointment with the abortion clinic.

I got there and there was a room full of young women. I was crying out of fear and shame. No one looked at you, everyone kept their heads down hoping not to see anyone they knew. First there was the pregnancy test confirming that I was pregnant. Next you gave them your \$180 and you would see a "counselor" before going in to the doctor's room.

The counselor asked if I was on any birth control and if I wanted some. I was so upset that she began counseling me, telling me some women use abortion as a form of birth control, some have ten or twelve and can still become pregnant. This did make me feel better knowing that just one abortion wouldn't be bad if some women have ten or twelve. Nothing was mentioned about the baby that was inside me. No information on the risks I was taking to my body and future child bearing.

I am now twenty-four and married with a child. I'm very lucky and thankful. But I have since learned the truth of what abortion does to the child in your womb and the risks involved. I feel that every woman should be fully informed of what happens in an abortion. I thank you for your concern and time.

Sincerely,

MRS. LESLIE A. DENARDO,
E. Lansing, MI.

JULY 1986.

DEAR SIR: Here is the experience of my abortion which has set my energies toward informing girls and women that deciding on an abortion does not eliminate the fear of being pregnant nor does it diminish the fact that you are a mother. Aborting my baby caused me much sorrow—many nights I would cry myself to sleep. I began to see a psychiatrist to help me deal with it.

On February 2, 1984, I had my first pregnancy aborted in which I was misled to believe that it was my only alternative. I was single, twenty-two, and at the prime of my life. I made a phone call to a local clinic. I can recall only two questions that were asked: (1) what my name was, and (2) if this was my first pregnancy. I was told that it would cost \$245 and to bring cash only. I would have to bring someone with me to drive home after the abortion.

At the doctors office, I was led to a room and left alone for ten minutes. Two medical personnel came in and one of them estimated that I was about three months along. I was given a free, one month supply of birth control pills, and they asked me why I wanted the abortion. I answered that I had just moved to Maine from Arkansas, and I felt alone. I also thought that it would hurt my parents to know. I began to cry. I was handed a form to sign; I do not recall any of the questions or statements, only that I was agreeing to the abortion. I was given a shot of Valium and was told that the suction method would be used, causing some discomfort.

During the abortion, I remember wanting to sit up because I was having severe stomach cramps, but one of the assistants held my shoulders down. I remember that the one who was performing the abortion said, "It's all over with," and left the room. The assistant told me not to try to stand for awhile and then she left too. I sat up and saw a large glass canister. It finally dawned on me that my baby was in it. I kept saying over and over, "My God, my God!" Someone came into the room and covered the canister with a cloth and took it out, leaving me alone again. I dressed up in the numbness of the Valium and with the shock of knowing the reality of the abortion. I walked unassisted from the room to the waiting room barely able to focus my eyes to find my friend in the lobby.

It took a very long time for me to recover mentally and emotionally. The self confidence that I once had was only rebuilt through outside sources. I got pregnant soon after the abortion and maybe it was to fill the void in my life. I made another appointment for an abortion, but this time a friend and a family member supported me by accepting my situation and by offering a helping hand. I later became aware of programs which can assist financially. It was knowing that I wasn't alone and the realization of how precious my baby was that brought joy to me during my months of pregnancy.

I am still single, but I am happy and I enjoy watching my child grow from one stage to the next. I can't imagine what my life would be like if my little girl Jennifer had been aborted from my life.

ANDREA ROGERS,
E. Lansing, MI. ●

SALUTE TO JACK STACKPOOL

● Mr. DURENBERGER. Mr. President, more than three decades have passed since I graduated from St. John's University, but I still remember the aggressive ballhandling and take-charge leadership of "fellow Johnny," Jack Stackpool.

Jack was one of those unique student-athletes St. John's has become known for. He is a great inspiration to the students he has coached. And, I am proud to say, he is a good friend.

Jack Stackpool's impressive résumé was enhanced, Mr. President, through Jack's induction into the Minnesota Coaches' "Hall of Fame." Jack was inducted into this prestigious group of retired coaches on November 6 at a banquet in Minneapolis, along with Bill Selisker of Crosby-Ironton, Walt Williams of Minneapolis Southwest, and the late Ted Peterson, who was a long-time and well-known sportswriter.

Although he has retired from coaching after 25 years, Jack is still a social studies teacher and athletic director at Glenwood High School. Previously, he taught and coached at Wabasha and Foley.

Jack has always been willing to give of his time to his profession, having served as president of the State coaches association, game manager for the first two State high school all-star basketball games, and as district and regional representative to the Minnesota State High School League.

Mr. President, because of his outstanding contributions to the education and athletic accomplishments of young athletes over more than a quarter century, I ask that a letter from me to the Minnesota Coaches Association and an article on Jack Stackpool from the West Central Tribune in Willmar, MN, be printed in the RECORD.

The material referred to follows:

NOVEMBER 6, 1987.

MR. JACK STACKPOOL, MR. BILL SELISKER, MR. WALT WILLIAMS, MRS. TED PETERSON, c/o Minnesota Coaches Association, Minneapolis, MN.

DEAR FRIENDS: It's an honor for me to extend greetings and my personal congratulations as you are inducted into the Minnesota Coaches "Hall of Fame."

As the son of a college athletic director, I saw at a very early age the benefits of participation in school sports. And, as the father of four very sports-minded sons, I've been reminded over and over again how much coaches contribute to the lives of the student/athletes they work with. These contributions are made both to physical fitness and athletic skills, and to the mental attitude and values which young people carry with them for the rest of their lives.

As new members of the Minnesota Coaches "Hall of Fame," you are being recognized by your peers as the "cream of the crop," in coaching in Minnesota. As a "fellow-Johnny," I'm particularly pleased to see Jack Stackpool receive this coveted honor. Each of you are very special people who are most deserving of this high honor.

It's very fitting that Ted Peterson is among this year's "Hall of Fame" inductees. I was an avid reader of Ted's sports-writing and know that he is missed by all those who counted on his colorful, yet fair reporting of high school and other sports over an entire career.

Thanks to each of you for your contributions. And, best of luck to all Minnesota coaches in the future.

Sincerely,

DAVE DURENBERGER,
United States Senator.

[From the West Central Tribune, Aug. 28, 1987]

COACHING GROUP HONORS STACKPOOL
(By Bruce Strand)

GLENWOOD.—Jack Stackpool has always said "yes" to getting involved in projects that promote Minnesota high school basketball.

In recognition, the Minnesota Basketball Coaches Association has said "yes" to Glenwood's nomination of Stackpool to the state coaches Hall of Fame.

Stackpool, 53, a social teacher and athletic director at Glenwood, coaches 25 years at Wabasha, Foley and Glenwood. The association honors only retired coaches.